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09/509,049	03/21/2000	JURGEN BRIESKORN	P00.0134	5412

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EXAMINER
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RYMAN, DANIEL J

ART UNIT	PAPER NUMBER
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2665

DATE MAILED: 09/30/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/509,049

Applicant(s)

BRIESKORN, JURGEN

Examiner

Daniel J. Ryman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see response, filed 8/25/2003, with respect to the rejection(s) of claim(s) 2 and 11 under Thompson in view of Jackson and Thompson in view of Jackson in further view of Davis, respectively, have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Thompson in view of Yeh et al (USPN 6,366,653).

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 6, 8, 9, 12, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson (USPN 6,091,803) in view of Jackson et al (USPN 5,287,352).
4. Regarding claims 1 and 14, Thompson discloses a method and system for transmitting data in a communication system having the elements of a telecommunication terminal apparatus (ref. 7), a computer device (ref. 15), and a switch (ref. 9), wherein said elements are connectable to a public telephone network (ref. 11) (col. 2, lines 18-43 and col. 3, lines 23-63), comprising the steps of and means for: connecting said computer device to said telecommunication terminal apparatus via a first bus system (ref. 17 and col. 3, lines 23-63); a system, within the telecommunication apparatus for relaying signals incoming from the switch to the first bus

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system and vice versa (col. 3, lines 23-63 and col. 4, line 57-col. 5, line 3); connecting said telecommunication terminal apparatus to said switch via an interface (col. 3, lines 23-63 and col. 4, lines 8-29); receiving reception data by said telecommunication terminal apparatus from said switch (col. 3, lines 23-63 and col. 4, line 44-col. 5, line 20); transmitting the reception data by said telecommunication terminal apparatus operating in a first operating mode to said first bus system, and forwarding the reception data via said first bus system to said computer device (col. 3, lines 23-63 and col. 4, line 44-col. 5, line 20); processing, by a processor of said computer device, the reception data received by said computer device from said telecommunication terminal apparatus (col. 5, lines 12-20) where it is implicit that the determination of whether to forward or act on the data requires processing; forwarding, by said computer device, to said telecommunication terminal apparatus, processed reception data via said first bus system (col. 3, lines 23-63 and col. 4, line 44-col. 5, line 20, esp. col. 5, lines 12-20); outputting the processed reception data by said telecommunication terminal apparatus (col. 2, lines 24-32 and col. 6, lines 6-9); producing transmission data by said telecommunication terminal apparatus (col. 2, lines 24-32; col. 3, lines 23-63; and col. 4, line 44-col. 5, line 20) where it is implicit that the phone produces transmission data; forwarding the transmission data by said telecommunication terminal apparatus operating in the first operating mode to said computer device via said first bus system (col. 2, lines 24-32; col. 3, lines 23-63; and col. 4, line 44-col. 5, line 20); processing, by said processor of said computer device, the transmission data received by said computer device (col. 2, lines 24-32; col. 3, lines 23-63; and col. 4, line 44-col. 5, line 20, esp. col. 5, lines 12-20) where it is implicit that the determination of whether to forward or act on the data requires processing; and transmitting, by said computer device, to said telecommunication terminal

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apparatus, processed transmission data via said first bus system (col. 2, lines 24-32; col. 3, lines 23-63; col. 4, line 44-col. 5, line 20; and col. 6, lines 6-9); and transmitting, by said telecommunication terminal apparatus to said interface for forwarding to said switch (col. 2, lines 24-32; col. 3, lines 23-63; and col. 4, line 44-col. 5, line 20). Thompson does not expressly disclose that a second bus system, which has a smaller bandwidth than said first bus system, connects individual internal assemblies of said telecommunication terminal apparatus. Jackson discloses, in system using a digital telephone, that it is well known in the art to have an internal bus in order to distribute information arriving at the telephone to the telephone's various components (col. 1, lines 41-52). It would have been obvious to one of ordinary skill in the art at the time of the invention to have a second bus system that is utilized for the connection of individual internal assemblies of said telecommunication terminal apparatus in order to distribute information arriving at the telephone to the telephone's various components. Thompson further discloses that the first bus system is a USB system, where Examiner takes official notice that USB systems are capable of transmitting up to 12 Mbps. Jackson discloses that the second bus system is a GCI bus, where Examiner takes official notice that GCI systems are capable of transmitting of up to 8.192 Mbps. Therefore the second bus system has a smaller bandwidth than the first bus system.

5. Regarding claim 6, referring to claim 1, Thompson in view of Jackson discloses that the switch is a private branch exchange (PABX) (Thompson: col. 4, lines 25-29).

6. Regarding claim 8, referring to claim 6, Thompson in view of Jackson discloses that the telecommunication terminal apparatus has a second operating mode, in which it is controlled in a

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conventional manner by said private branch exchange, and which allows operation independent of said computer device (Thompson: col. 2, lines 23-43 and col. 3, lines 49-63).

7. Regarding claim 9, referring to claim 1, Thompson in view of Jackson discloses that the telecommunication terminal apparatus is a telephone (Thompson: col. 2, lines 18-32).

8. Regarding claim 12, referring to claim 1, Thompson in view of Jackson discloses that the switch corresponds to the ISDN standard (Thompson: col. 3, lines 23-32 and col. 5, line 56-col. 6, line 3).

9. Regarding claim 15, referring to claim 14, Thompson in view of Jackson discloses sending the reception data received by said switch and the transmission data produced by said telecommunication terminal apparatus to said computer device via said telecommunication terminal apparatus (Thompson: col. 3, lines 23-63 and col. 4, line 44-col. 5, line 20), wherein the reception and transmission data received by said computer device represents spoken words (Thompson: col. 3, lines 29-31); intermediately storing the reception and transmission data received by said computer device in a transmission data store of said computer device, wherein said computer device further comprises a program that enables simulation of a telephone answering device (Thompson: col. 5, lines 50-55), and wherein said transmission data store enables repeated time-displace forwarding of the reception and transmission data representing spoken words to said switch via said telecommunication terminal apparatus (Thompson: col. 5, lines 50-55); and forwarding the reception and transmission data received by said computer device, by said computer device, in a time-displaced fashion via said telecommunication terminal apparatus (Thompson: col. 5, lines 50-55).

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10. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson (USPN 6,091,803) in view of Jackson et al (USPN 5,287,352) as applied to claim 1 above, and further in view of Yeh et al (USPN 6,366,653).

11. Regarding claim 2, referring to claim 1, Thompson in view of Jackson does not expressly disclose that the processor encodes the transmission data produced by said telecommunication terminal apparatus, and decodes the reception data received from said switch. Yeh teaches, in a system for integrating a telephone to a computer, that the computer (processor) encodes the incoming signals and decodes the outgoing signals in order to configure the information in a format which is recognized by the computer (decode received data) and then places the data back into a format recognized by the telephone network once processing is complete (encode transmitted data) (col. 5, lines 9-24). It would have been obvious to one of ordinary skill in the art at the time of the invention to have the processor encode the transmission data produced by the telecommunication terminal apparatus and decode the reception data received from the switch in order to configure the information in a format which is recognized by the computer and then place the data back into a format recognized by the telephone network once processing is complete.

12. Claims 3, 5, 10, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson (USPN 6,091,803) in view of Jackson et al (USPN 5,287,352) as applied to claim 1 above, and further in view of Davis et al (USPN 5,483,530).

13. Regarding claim 3, referring to claim 1, Thompson in view of Jackson discloses that the first bus system is implemented utilizing a USB bus (Thompson: col. 3, lines 23-38); and all data of second bus are transmitted via said first bus system (Thompson: col. 4, line 60-col. 5, line 63).

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Thompson in view of Jackson possibly does not expressly disclose that the second bus system is implemented utilizing an IOM-2 multiplexer. Davis discloses, in a system for communicating with digital and analog devices over a single digital interface, that IOM-2 is a time division multiplex interface which multiplexes the B channel and D channel and control information into a single serial interface (col. 12, lines 1-9). It would have been obvious to one of ordinary skill in the art at the time of the invention to have the second bus be implemented utilizing an IOM-2 multiplexer since an IOM-2 multiplexer multiplexes the B channel and D channel and control information into a single serial interface.

14. Regarding claim 5, referring to claim 3, Thompson in view of Jackson in further view of Davis discloses that the IOM-2 multiplexer comprises: B channels, that the telecommunication terminal apparatus reroutes the reception and transmission data only between said interface and the B channels (Thompson: col. 4, line 60-col. 5, line 63 and Davis: col. 12, lines 1-9).

15. Regarding claim 10, referring to claim 3, Thompson in view of Jackson in further view of Davis discloses that the computer device has a program that enables simulation of a telephone answering device (Thompson: col. 5, lines 50-55); said transmission data represent spoken text (Thompson: col. 3, lines 29-31); said computer device further comprises a transmission data store (computer disk drive or DSP) which enables repeated time-displaced forwarding of said spoken text to said switch via said telecommunication terminal apparatus (Thompson: col. 5, lines 50-55); said reception data which represent messages from callers that are sent by said switch to said computer device via said telecommunication terminal apparatus, that are intermediately stored in said computer device, and that are forwarded in a time-displaced fashion



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via said telecommunication terminal apparatus, as reception data (Thompson: col. 5, lines 50-55).

16. Regarding claim 13, referring to claim 3, Thompson in view of Jackson in further view of Davis discloses that items of control information comprise items of information produced during a pressing of particular keys of said telecommunication terminal apparatus (Thompson: col. 4, lines 30-56; esp. col. 4, lines 54-56).

17. Claims 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson (USPN 6,091,803) in view of Jackson et al (USPN 5,287,352) in further view of Davis et al (USPN 5,483,530) as applied to claim 3 above, and further in view of Hofer ("The IOM2 Serial Bus Interface for the Interconnection of ISDN ICs", Electronic Engineering, June (1990) Vol. 62, No. 762, pages 69, 70, 72, 74, and 76).

18. Regarding claim 4, referring to claim 3, Thompson in view of Jackson in further view of Davis suggests that the IOM-2 multiplexer comprises: a CTRL channel (bus 17B and control information) via which said computer device controls said telecommunication terminal apparatus in said first operating mode (Thompson: col. 3, lines 29-45; col. 4, line 60-col. 5, line 63 and Davis: col. 12, lines 1-9); a D\* channel (D channel), via which said computer device receives items of control information from said the telecommunication terminal apparatus (Thompson: col. 4, line 60-col. 5, line 63, esp. col. 5, lines 12-20 and Davis: col. 12, lines 1-9) where a D channel is broadly equivalent to a D\* channel; and B channels via which said computer device and said telecommunication terminal apparatus exchange data (Thompson: col. 4, line 60-col. 5, line 63 and Davis: col. 12, lines 1-9). Thompson in view of Jackson in further view of Davis possibly does not expressly disclose having the IOM-2 multiplexer multiplex IC channels. Hofer

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discloses that the IOM-2 multiplexer can be used to interconnect ISDN ICs in order to permit the interconnection of ICs within the system where ICs are used to transfer data within a terminal (pg. 70, col. 1, section titled "Terminal Structure"). It would have been obvious to one of ordinary skill in the art at the time of the invention to have the IOM-2 multiplexer multiplex IC channels in order to permit data transfers within system.

19. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson (USPN 6,091,803) in view of Jackson et al (USPN 5,287,352) as applied to claim 6 above, and further in view of Mueller (USPN 5,453,984).

20. Regarding claim 7, referring to claim 6, Thompson in view of Jackson discloses that the interface is a U interface (Thompson: col. 6, lines 15-19 and lines 61-64). Thompson in view of Jackson possibly does not expressly disclose that the U interface is an  $U_{p0/E}$  interface. Mueller discloses that U-interfaces are manufacturer specific, which are adapted to the particular type of equipment in use in the communication system (col. 2, lines 62-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to use a particular type of U-interface according to the equipment used in the communication system.

21. Claims 11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson (USPN 6,091,803) in view of Jackson et al (USPN 5,287,352) as applied to claims 1 and 14 above, and further in view of Riemann et al (USPN 5,892,764).

22. Regarding claims 11 and 16, referring to claims 1 and 14, Thompson in view of Jackson discloses that the system can be used for a variety of functions that can be implemented in the computer (col. 5, line 63-col. 6, line 3). Thompson in view of Jackson does not expressly disclose obtaining the reception data by said computer device from said switch via said

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telecommunication terminal apparatus, wherein said computer device further comprises a video conferencing mechanism; dividing, by said computer device, the reception data into received image data and received speech data; displaying, by said computer device, the received image data on a display screen of said computer device; sending, by said computer device, the received speech data back to said telecommunication terminal apparatus; transmitting the input speech data originating from a microphone of said telecommunication terminal apparatus to said computer device via said first bus system; assembling, by said computer device, transmission data from the input speech data and the input image data; and transmitting said transmission data to said switch via said telecommunication terminal apparatus. Riemann teaches, in an integrated telephone and computer system, where each computer processes telephony data from its attached telephone (col. 2, lines 52-65), having conferencing available where the computer receives various media streams over its connection with the switch (col. 2, lines 52-65; col. 4, line 65-col. 5, line 5; col. 5, lines 18-28; and col. 6, lines 27-39). It is implicit that for conferencing, each local computer will combine the telephony data with related data to form a single data stream which is sent to the switch. Examiner also takes official notice that video conferencing is very well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to implement video conferencing in a system where a computer and telephone are interfaced in order to allow the system's users access to video conferencing. Thus, Thompson in view of Jacksonin further view of Riemann discloses obtaining the reception data by said computer device from said switch via said telecommunication terminal apparatus (Thompson: col. 3, lines 23-63 and col. 4, line 44-col. 5, line 20), wherein said computer device further comprises a video conferencing mechanism (Riemann: col. 2, lines 52-65; col. 4, line 65-col. 5,

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line 5; col. 5, lines 18-28; and col. 6, lines 27-39); dividing, by said computer device, the reception data into received image data and received speech data (Thompson: col. 3, lines 23-63 and col. 4, line 44-col. 5, line 20 and Riemann: col. 2, lines 52-65; col. 4, line 65-col. 5, line 5; col. 5, lines 18-28; and col. 6, lines 27-39); displaying, by said computer device, the received image data on a display screen of said computer device (Riemann: col. 2, lines 52-65; col. 4, line 65-col. 5, line 5; col. 5, lines 18-28; and col. 6, lines 27-39) where Examiner takes official notice that displaying data on a computer during a video conference is well known; sending, by said computer device, the received speech data back to said telecommunication terminal apparatus (Thompson: col. 3, lines 23-63 and col. 4, line 44-col. 5, line 20 and Riemann: col. 2, lines 52-65; col. 4, line 65-col. 5, line 5; col. 5, lines 18-28; and col. 6, lines 27-39); transmitting the input speech data originating from a microphone of said telecommunication terminal apparatus to said computer device via said first bus system (Thompson: col. 3, lines 23-63 and col. 4, line 44-col. 5, line 20 and Riemann: col. 2, lines 52-65; col. 4, line 65-col. 5, line 5; col. 5, lines 18-28; and col. 6, lines 27-39); assembling, by said computer device, transmission data from the input speech data and the input image data; and transmitting said transmission data to said switch via said telecommunication terminal apparatus (Riemann: col. 2, lines 52-65; col. 4, line 65-col. 5, line 5; col. 5, lines 18-28; and col. 6, lines 27-39).

### ***Conclusion***

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Peres et al (USPN 5,867,496) see col. 3, lines 58-66 which pertains to a GCI interface. Ahuja et al (USPN 5,689,553) see Fig. 6 and col. 10, line 34-col. 11, line 40 which discloses video conferencing.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Ryman whose telephone number is (703)305-6970. The examiner can normally be reached on Mon.-Fri. 7:00-5:00 with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (703)308-6602. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Daniel J. Ryman  
Examiner  
Art Unit 2665

*DJR*

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